



Docket No.: M4065.0743/P743
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Steven T. Harshfield, et al.

Allowed: March 9, 2004

Application No.: 09/853,233

Confirmation No.: 5984

Filed: May 11, 2001

Art Unit: 2823

For: PCRAM MEMORY CELL AND METHOD Examiner: William D. Coleman
OF MAKING SAME

**PETITION TO WITHDRAW APPLICATION FROM
ISSUE PURSUANT TO 37 C.F.R. § 1.313(c)(2)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby petition the Commissioner to withdraw the above-identified application from issue. The Issue Fee Payment in this application was filed on July 12, 2006.

Applicants respectfully petition that the above-identified application be withdrawn from issue in order to permit consideration of a submission under 37 C.F.R. § 1.114 (Request for Continued Examination with an Information Disclosure Statement), a copy of which is enclosed. After Applicants first paid the issue fee on May 11, 2004, Applicants became aware of additional references which may be deemed relevant to prosecution. On June 17, 2004, Applicants petitioned to withdrawal the application from issue and requested continued examination of the present application to consider the additional references. To date and despite Applicants' efforts, the references have

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not been considered. Accordingly, applicants request that the application be withdrawn from issue and the submission under 37 C.F.R. § 1.114 be considered.

Please charge our Credit Card in the amount of \$900.00 covering the fee for submission of this petition and the concurrently filed RCE. Credit Card Payment Form SB-2038, with a signature from an authorized cardholder, is enclosed.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. M4065.0743/P743. A duplicate copy of this paper is enclosed.

Dated: September 1, 2006

Respectfully submitted,

By


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